

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

LATOYA BROWN; LAWRENCE BLACKMON; HERBERT ANTHONY GREEN; KHADAFY MANNING; QUINNETTA MANNING; MARVIN MCFIELD; NICHOLAS SINGLETON; STEVEN SMITH; BESSIE THOMAS; and BETTY JEAN WILLIAMS TUCKER, individually and on behalf of a class of all others similarly situated,

Plaintiffs,

v.

MADISON COUNTY, MISSISSIPPI; SHERIFF RANDALL S. TUCKER, in his official capacity; and MADISON COUNTY SHERIFF'S DEPUTIES JOHN DOES #1 through #6, in their individual capacities,

Defendants.

Civil Action No.
3:17-cv-00347-WHB-LRA

**JOINT MOTION FOR
ENTRY OF STIPULATED
SCHEDULING ORDER**

Plaintiffs and Defendants (collectively, the “Parties”) respectfully submit this Joint Motion for entry of a stipulated scheduling order regarding the briefing schedule for Defendants’ motions filed on May 8, 2018 in connection with Plaintiffs’ motion for class certification. In support of this Joint Motion, the Parties would show as follows:

1. On February 27, 2018, the Court entered a Stipulated Scheduling Order (the “February 27 Order”) [ECF No. 202] which established March 14, 2018 as the deadline for Plaintiffs to submit any expert reports and/or declarations in support of Plaintiffs’ motion for class certification, and May 8, 2018 as the deadline for Defendants to file their opposition to Plaintiffs’ motion for class certification and to submit any reports and/or declarations in opposition to

Plaintiffs' motion for class certification. The February 27 Order further established that discovery of any expert proffered by Defendants would commence on May 8, 2018 and conclude on July 2, 2018, and that any rebuttal expert reports and/or declarations submitted by Plaintiffs in support of Plaintiffs' motion for class certification would be due on July 2, 2018.

2. On May 8, 2018, Defendants filed their Response in Opposition to Plaintiffs' Motion for Class Certification [ECF No. 267]. Defendants simultaneously filed a Daubert motion and motion in limine to exclude the report and testimony of Bryan Ricchetti [ECF No. 270] and a motion in limine to exclude the declaration and testimony of Rahul Guha [ECF No. 272] (the "Motions to Exclude").

3. In light of the existing expert discovery schedule set by the February 27 Order and in order to afford Plaintiffs time to take discovery of Defendants' proffered experts, the Parties agree that Plaintiffs' responses to Defendants' Motions to Exclude shall be due on July 2, 2018. The Parties further agree that Defendants' replies with respect to the Motions to Exclude shall be due on July 23, 2018.

4. Defendants also filed three ancillary motions concerning Plaintiffs' motion for class certification: (1) Defendants' Conditional Motion for Evidentiary Hearing [ECF No. 269], (2) Defendants' Amended Motion to Strike Newspaper Articles Attached to Plaintiffs' Motion for Class Certification [ECF No. 274], and (3) Defendants' Motion to Strike Declarations [ECF No. 285].¹ The Parties agree that the briefing schedule for these three motions should be aligned with

¹ Defendants filed an initial Motion to Strike Declarations on May 8, 2018 [ECF No. 276], and then moved to withdraw that motion (and its supporting materials) on May 14, 2018 [ECF No. 284]. Should the Court not grant Defendants' request to withdraw the initial Motion to Strike Declarations [ECF No. 276] and refile such motion, the briefing schedule for the initial Motion to Strike Declarations [ECF No. 276] shall align with the agreed-upon schedule for Defendants' Conditional Motion for Evidentiary Hearing [ECF No. 269] and Defendants' Amended Motion to Strike Newspaper Articles Attached to Plaintiffs' Motion for Class Certification [ECF No. 274], as set forth in this paragraph.

the remaining briefing schedule for Plaintiffs' class certification motion, such that briefing on each motion concludes on July 2, 2018. The Parties have further agreed that Plaintiffs' response to each motion referenced in this paragraph shall be due on or before June 7, 2018, and that Defendants' replies shall be due on or before July 2, 2018.

5. The Parties now jointly submit that good cause exists for entry of the Stipulated Scheduling Order, reflecting the foregoing agreement of the Parties, in the form emailed separately to Chambers of this Court, and therefore respectfully request that the Court approve and adopt this Stipulated Scheduling Order as an Order of the Court.

Dated: May 17, 2018

By: /s/ Joshua Tom
Joshua Tom

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CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2018, I caused the foregoing **JOINT MOTION FOR ENTRY OF STIPULATED SCHEDULING ORDER** to be electronically filed with the Clerk of the Court using the CM/ECF system, which has generated and delivered electronic notice of filing to all counsel of record who have consented to electronic service.

/s/ Joshua Tom _____